



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

**TUESDAY, SEPTEMBER 9, 2003**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

### COMMISSIONERS

CHAIR JOSEPH H. MUELLER  
VICE-CHAIR CHARLES D. WESTON  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER ROBERT ENGLES  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH LYLE

**REGULAR MEETING - 7:00 P.M.**

### **\*\*\* A G E N D A \*\*\***

#### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** August 12, 2003

**NEW BUSINESS:**

- 1) **ZONING AMENDMENT, ZA-02-12/DEVELOPMENT AGREEMENT, DA-02-11: NINA LANE-CHEN:** A request for approval of a zoning amendment and development agreement for a five-unit residential project located at the southeast corner of Juan Hernandez Dr. and San Vicente Ct. The subject site is approximately 1.26 acres, and is located in the R1(12,000)/RPD zoning district. A mitigated Negative Declaration is proposed. (APNs 817-60-062 thru -067)

**Recommendation:** Open Public Hearing/Approve Mitigated Negative Declaration/Adopt Resolution Nos. 03-64 (zoning amendment) and 03-65 (development agreement), with recommendation to forward to the City Council for approval.

- 2) **SUBDIVISION, SD-03-06/DEVELOPMENT AGREEMENT, DA-03-07: CENTRAL-CENTRAL PARK:** A request for approval of a 39-lot subdivision and development agreement for Phase VII of the Central Park project located on two parcels totaling 11.5 acres east of Butterfield Blvd. and north of Calle Hermosa in the R2-3,500 and R1-7,000 zoning districts. (APNs 726-27-104 & 105)

**Recommendation:** Open Public Hearing/Adopt Resolution Nos. 03-66 (subdivision), and 03-67 (development agreement), with recommendation to forward to the City Council for approval.

- 3) **SUBDIVISION, SD-03-07/DEVELOPMENT AGREEMENT, DA-03-08: SUNNYSIDE-QUAIL CREEK:** A request for approval of a 22-lot subdivision and development agreement for Phase III of the Quail Creek project located on a 15.7 acre parcel on the north east corner of the intersection of Sunnyside Ave. and Watsonville Rd. in the R-1 7,000/RPD zoning district. (APN 767-29-006)

**Recommendation:** Open Public Hearing/Adopt Resolution Nos. 03-68 (subdivision) and 03-69 (development agreement), with recommendation to forward to the City Council for approval.

## **PLANNING COMMISSION MEETING AGENDA**

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### **OTHER BUSINESS:**

- 4) **USE DETERMINATION FOR ARTIST BAZAAR/OUTDOOR SALES IN THE DOWNTOWN:** Determination as to whether weekly outdoor sales of artist arts and crafts may be conditionally allowed in the CC-R, Central Commercial Residential District.

**Recommendation:** Discussion/Provide direction to staff.

- 5) **USE DETERMINATION, SOUTH VALLEY IMAGING:** A request for a Planning Commission use determination regarding a proposal to establish an MRI imaging lab center for ambulatory outpatients at 300 Digital Drive in the Morgan Hill Ranch PUD.

**Recommendation:** Discussion/Provide direction to staff whether the proposed use may be conditionally allowed in the Business Park PUD.

- 6) **POLICY DIRECTION REGARDING FOR-SALE ATTACHED HOUSING UNITS:** Significantly increasing insurance premiums for new, for-sale attached housing units have made the construction of these units financially infeasible for local developers. Developers and Staff request policy direction from the Planning Commission for design alternatives to the attached housing units. Policy direction is also requested to address Measure P, Zoning and General Plan implications, eligibility criteria, and procedural standards.

**Recommendation:** Discussion/Provide direction to staff how to address the insurance issue for on-going, newly allocated, and future projects containing for-sale attached housing.

- 7) **REVIEW OF PROPOSED MEASURE P UPDATE INITIATIVE:**

**Recommendation:** Review proposed initiative and continue to September 23 meeting.

### **TENTATIVE UPCOMING AGENDA ITEM FOR THE SEPTEMBER 23, 2003 MEETING:**

- ZA-02-16: Dewitt-Marquez/Gluhaich
- SD-02-11: Dewitt-Marquez/Gluhaich
- ANX-03-02: Dewitt-Marrad Group
- SD-03-05: Dewitt-Marrad Group
- DA-03-05: Dewitt-Marrad Group
- UP-03-06: E. Dunne-Rodrigues
- UP-03-07: Jarvis-Generations Four Square Church
- ZAA-01-05: Monterey-South Valley Developers

### **ANNOUNCEMENTS:**

### **CITY COUNCIL REPORTS**

**ADJOURNMENT**

**SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

**NOTICE**

**AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*